

February 11, 1977

LB 53, 13, 57, 73,
193, 211, 66

File as amended, 53 indefinitely postponed. Signed, Senator Rasmussen, Chairman. Mr. President, your Committee on Enrollment and Review reports we have examined and reviewed LB 193 and find the same correctly engrossed, 13 correctly engrossed, 57, 73 and 211 all correctly engrossed. Signed, Senator Cullan, Chairman. That is all, Mr. President.

(Speaker Luedtke presiding)

SPEAKER LUEDTKE: Alright. LB 66.

CLERK: Read title to LB 66. The bill has amendments offered by the Judiciary Committee. Senator Barnett is Chairman and isn't present.

SENATOR CHAMBERS: I'll take them. Mr. Speaker, I will handle the amendments and the bill.

SPEAKER LUEDTKE: Senator Chambers, will you please handle the Judiciary Committee amendments.

SENATOR CHAMBERS: Yes, I will. Thank you, Mr. Speaker.

SPEAKER LUEDTKE: Chair recognizes Senator Chambers.

SENATOR CHAMBERS: This bill, LB 66, has two amendments offered. Since the bill and the amendments are so closely entwined and it's a short bill and what it accomplishes is very uncomplicated, I will have to discuss the two together. The bill is designed to allow people who have complaints of discrimination to go into court rather than being compelled to go only through the Equal Opportunity Commission. Currently, there is such a back log that a person with a complaint must wait from 13 months to two years to get a hearing. The Commission has never adequately been funded or staffed, so their situation only becomes worse. In some instances, if you would try to go to court now with a grievance they would require you to go through the Equal Opportunity Commission first. If enough time passed the evidence involved could become cold, witnesses could disappear, and there would be no vindication of a right. Now I'm going to tell you what the amendments do. There is some unnecessary language in the bill in lines 3 and 5. The wording, which is unnecessary, says "under color of any state or local law, statute, ordinance, resolution, regulation, custom or usage of this state". All of that is totally unnecessary and it would be stricken. The other amendment was offered by an attorney for the City of Omaha. Because of a definition in the statute in another place, of the word "person" political subdivisions would be included in that definition. So in order to be certain that this bill does not create a liability on political subdivisions which does not exist now, the amendment, offered by Omaha and adopted unanimously by the Committee, exempts political subdivisions from the operation of this bill. They will have no more liability than they currently have under existing statute. So the first thing I'll ask is that the Committee amendments, the two of them, be adopted, if you're still with us.

SPEAKER LUEDTKE: Is there any discussion on the Committee amendments to LB 66? If not, Senator Chambers, I will call for the motion. All in favor of the Committee amendments to LB 66 vote aye. Opposed vote nay. Have you all voted? Record the vote, Mr. Clerk.